



Corrections Construction and Capacity

ISSUE

This **Issue Review** provides information on the Department of Corrections' current and projected offender population, facility capacity, construction update, and impact on the General Fund.

AFFECTED AGENCIES

Department of Corrections and Community-Based Corrections

CODE AUTHORITY

Chapters 904 and 905, and the Criminal Code (Chapters 701 to 728)

BACKGROUND

Two offenders escaped from the maximum-security section of the Iowa State Penitentiary in 2005. The offenders were later captured in Illinois and Missouri. The escape prompted the General Assembly to appropriate \$500,000 per year in FY 2007 and FY 2008 from the Rebuild Iowa Infrastructure Fund (RIIF) for a systemic study of the corrections system, including physical structures, staffing, treatment needs, and the prison population forecasting model. The study is referred to as the [Durrant Report](#).

The Durrant Report included multiple recommendations regarding facilities, including replacing the maximum-security beds at Fort Madison with a new prison; revamping the Mitchellville prison to add beds and make it more gender-specific; and adding Community-Based Corrections (CBC) residential beds to reduce the number of offenders waiting in the prison system for a residential bed. Based on recommendations in the Durrant Report, the General Assembly made the following appropriations:

- \$130.7 million from the FY 2009 Prison Bond Fund (PBF) to build a new 800-bed maximum-security prison at Fort Madison. This complex will replace 588 maximum-security beds and add 92 medical/segregation beds, for a net gain of 120 beds. Future capacities are based on design work to date and may be subject to change.
- \$68.0 million from various sources for the period FY 2009 through FY 2013 to replace and add beds at the Iowa Correctional Institution for Women at Mitchellville. The plan is to build 888 beds distributed as follows: 792 general population, 48 segregation, 10 infirmary, 30 medical and assisted living, and eight hospice. The net gain is estimated to be 337 beds. Future capacities are based on design work to date and may be subject to change.
- \$11.5 million from various funding sources for the period FY 2009 through FY 2014 for architectural and engineering services, a correctional specialist, and project management for the Mitchellville and Fort Madison locations.

- \$12.6 million from various funding sources for the period FY 2005 through FY 2009 to replace an existing 81-bed facility with a 120-bed facility in Davenport.
- \$6.0 million from the Revenue Bonds Capitals (RBC) Fund in FY 2009 for a 45-bed residential facility for women in Waterloo.
- \$5.3 million from the RBC Fund in FY 2009 to add 42 beds at a residential facility in Sioux City.
- \$4.1 million from the RBC Fund in FY 2009 to add 25 beds to a residential facility in Ottumwa.
- \$2.3 million from the Restricted Capitals 2 Fund and the RIIF in FY 2007 and FY 2008 for a 26-bed mental health residential facility in Cedar Rapids (ANCHOR Center).
- \$96,654 from the RIIF in FY 2009 to provide additional information on infrastructure needs and potential locations for an additional 170 beds for the Fifth CBC District Department.

CURRENT SITUATION

CBC District Departments

The First (\$256,000), Third (\$275,000), Seventh (\$815,000), and Eighth (\$172,000) CBC District Departments received one-time funding for start-up costs in FY 2011 from the RBC Fund. Construction of these facilities is scheduled to be completed in 2011. Construction of the Sixth CBC District Facility was completed in 2009 and the District Department received a General Fund appropriation of \$200,000 for one-time costs in FY 2008. Any expansion plans for the Fifth CBC District Department are on hold.

- The CBC residential facilities were operating at 97.4% of capacity on September 1, 2010, with 1,462 offenders housed in facilities designed for 1,501 beds.
- Approximately 700 offenders are waiting for a CBC residential bed at any given time. These offenders are waiting in county jails, the State prison system, the federal Bureau of Prisons facilities, or in field services (parole and probation supervision).
- Capacity upon completion of all facilities is anticipated to be 1,678 residential beds. **Table 1** shows the current locations, population as of September 1, 2010, plus current and future capacity of CBC residential facilities.

**Table 1
CBC Residential Beds – Current and Projected Capacity**

District	Facility	Current Population	Current Capacity	Current Percent	Projected Capacity	Projected Percent
1	Dubuque Residential	79	80	98.8%	80	98.8%
1	Waterloo Residential	78	74	105.4%	74	105.4%
1	Waterloo Work Release	68	76	89.5%	76	89.5%
1	Waterloo Women's Facility				45	
1	West Union Residential	49	48	102.1%	48	102.1%
2	Ft. Dodge Residential	51	60	85.0%	60	85.0%
2	Ames Residential	41	45	91.1%	45	91.1%
2	Marshalltown Residential	52	51	102.0%	51	102.0%
2	Mason City Residential	49	51	96.1%	51	96.1%
3	Sioux City Residential	54	57	94.7%	99	54.5%
3	Sheldon Residential	30	30	100.0%	30	100.0%
4	Council Bluffs Residential	73	71	102.8%	71	102.8%
4	Council Bluffs Womens' Facility	11	26	42.3%	26	42.3%
5	Des Moines Residential/Work Release/Substance Abuse Treatme	300	300	100.0%	300	100.0%
5	Des Moines Womens' Facility	61	48	127.1%	48	127.1%
6	Cedar Rapids Residential	74	83	89.2%	83	89.2%
6	Cedar Rapids ANCHOR Center				26	
6	Cedar Rapids Work Release	105	90	116.7%	90	116.7%
6	Coralville Residential	48	55	87.3%	55	87.3%
7	Davenport Residential	60	64	93.8%	64	93.8%
7	Davenport Work Release	81	81	100.0%	120	67.5%
8	Burlington Residential	51	60	85.0%	60	85.0%
8	Ottumwa Residential	47	51	92.2%	76	61.8%
Total		<u>1,462</u>	<u>1,501</u>	97.4%	<u>1,678</u>	87.1%

Institutions – FY 2010

Prison capacity and population varies daily across the prison system. Beds may be taken out of use for cell repairs; offenders enter and exit the prison system daily. By policy, the DOC only adjusts official capacity when housing units are permanently opened or closed. For example, the DOC did not reduce official capacity when it closed the North 3 Housing Unit at Clarinda (64 beds) in May 2010. It reopened that housing unit in June 2010.

The Department of Corrections (DOC) was operating at 115.8% of capacity at the end of FY 2010 (June 30) with 8,587 offenders housed in facilities with 7,414 beds. The number of beds does not include those designated for medical/segregation/disciplinary detention needs (637 beds) because the DOC considers these beds to be for short term housing needs. It does include beds no longer in use because the DOC temporarily closed housing units primarily due to budget reductions (337 beds). **Table 2** shows housing unit closures during FY 2009 and FY 2010. Including housing unit closures, the prison system was operating at 121.3% of capacity on June 30, 2010.

Table 2
Prison Housing Units Closed During FY 2009 and FY 2010

<u>Facility</u>	<u>Housing Unit</u>	<u>Security Type</u>	<u>Capacity</u>	<u>Date Closed</u>
Anamosa	Living Unit A	Medium	-57	5/7/2009
Anamosa	Living Unit D-B	Medium	-31	4/30/2010
Mitchellville	Living Unit 3	Medium	-40	12/8/2009
Mitchellville	Living Unit 5	Medium	-30	12/1/2009
Oakdale	Temporary Holding Unit	Medium	-24	10/23/2009
Fort Madison	Farm Three	Minimum	-100	6/29/2010
Mount Pleasant	West 2B	Medium	-55	1/28/2010
Total			-337	

Notes:

- 1) The DOC reopened Living Unit Three at Mitchellville in September 2010.
- 2) Living Unit 5 at Mitchellville is permanently closed. The building will be demolished during the construction process.
- 3) The DOC reopened Housing Unit West 2B at Mount Pleasant in September 2010.
- 4) The DOC reopened the Temporary Holding Unit (Unit M) at Oakdale in September 2010.

Institutions – FY 2011

The DOC reduced official capacity by 180 beds in July 2010 to reflect the closure of Farms One and Three at Fort Madison. Senate File 2088 (State Government Reorganization and Efficiency Act) directed the DOC to close both farms at Fort Madison. The DOC planned to close Farm One because the new maximum-security prison is being built at that location.

- The revised official capacity was 7,234 beds from July 20 through September 24, 2010.
- The DOC conducted an audit of existing prison beds during the first quarter of FY 2011. **Table 3** shows the changes to capacity by location and reason, and reflects changes the DOC made on September 24, 2010. The farms at Fort Madison are not included in **Table 3** because July 2010 capacity (7,234 beds) reflects those closures.

Table 3
Prison Capacity Changes by Facility

<u>Facility</u>	<u>Housing Unit</u>	<u>Security Type</u>	<u>Capacity</u>	<u>Med/Seg Beds</u>	<u>Reason for Change</u>
Anamosa	Living Unit D-1	Medium	-2		Cells no longer in housing.
Mitchellville	Living Unit 5	Various	-30		Permanent closure due to construction.
Mitchellville	Living Unit 6B	Various	8	-8	No longer medical/segregation beds.
Mitchellville	Living Unit 8	Various	34		Convert Violator Program to general population beds.
Fort Madison	Clinical Care Unit - Living Unit A	Maximum	-16		Convert general population to disciplinary detention/segregation beds.
Fort Madison	Clinical Care Unit Living Unit B	Maximum	-24		Convert general population to disciplinary detention/segregation beds.
Fort Madison	Cell House 218	Maximum	-5		Permanent closure due to shower renovation.
Fort Madison	Cell House 220	Maximum	48	-8	Convert segregation to general population beds.
Fort Madison	Cell House 318	Maximum	-4		Permanent closure due to shower renovation.
Fort Madison	John Bennett Unit	Medium	0	0	Convert to minimum-security beds.
Mount Pleasant	East 3D	Medium	-1		Convert to disciplinary detention bed.
Oakdale	East	Medium	-23	25	Forensic psychiatric hospital beds.
Oakdale	Infirmiry Medical Unit	Medium	-24	24	Short term medical unit.
Oakdale	Short Term Ambulatory	Medium	-32	32	Short term medical unit.
Oakdale	Temporary Holding Unit	Medium	-24	24	Temporary medical beds.
Newton	Release Center - Dorm 5	Minimum	70	-70	Convert Violator Program to general population beds.
Rockwell City	Unit DLU	Minimum	0	-1	Cell 5 is a single bed cell.
Total			-25	18	

Table 4 shows the net change to capacity by security type. The changes took effect September 24, 2010.

Table 4
September 2010 Net Change to Bed County by Security Type

Security Type	Capacity	Disciplinary	Violator	
	Beds	Detention	Medical	Program
Maximum	-1	- 8	0	0
Medium	-280	- 8	105	0
Minimum	152	- 1	0	0
Min. Live-Out	104	0	0	-70
Total	-25	- 17	105	-70

After the DOC changes in September 2010, official capacity is 7,209 beds, a reduction of 25 beds. There are 655 beds designated for medical/segregation/disciplinary detention, an increase of 18 beds. **Table 5** shows the prison population as of September 29, 2010, and September 24 official capacity of prison facilities. The prison system was operating at 121.1% of official capacity on September 21, 2010, with 8,730 offenders housed in facilities with 7,209 beds.

Table 5
September 2010 Official Capacity

Prison	Location	9/29/2010	9/24/2010	Percent of
		Population	Capacity	Capacity
Anamosa	Anamosa	1,063	911	116.7%
Anamosa	Luster Heights	86	88	97.7%
Clarinda	Clarinda	875	750	116.7%
Clarinda	Lodge	201	225	89.3%
Fort Dodge	Fort Dodge	1,272	1,162	109.5%
Mitchellville	Mitchellville	564	455	124.0%
Oakdale	Oakdale	977	585	167.0%
Fort Madison	Fort Madison	587	588	99.8%
	John Bennett Unit	178	152	117.1%
	Clinical Care Unit	208	160	130.0%
Mount Pleasant	Men	909	774	117.4%
	Women	89	100	89.0%
Newton	Medium	891	762	116.9%
	Minimum	330	252	131.0%
Rockwell City	Rockwell City	500	245	204.1%
Total		8,730	7,209	121.1%

Table 6 shows the housing units that remain closed due to a lack of staffing. Including housing unit closures, the prison system was operating at 124.3% of capacity on September 29, 2010.

Table 6
Prison Housing Units Remain Closed During FY 2011

Facility	Housing Unit	Security Type	Capacity	Date Closed
Anamosa	Living Unit A	Medium	-57	5/7/2009
Anamosa	Living Unit D-B	Medium	-31	4/30/2010
Fort Madison	Farm Three	Minimum	-100	6/29/2010
Total			-188	

The Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights releases an annual [Iowa Prison Population Forecast](#). According to the CJJPD forecast dated November 2009, if policies and practices remain the same, the prison population is projected to reach approximately 9,025 offenders by FY 2019. **Table 7** shows the prison population and capacity projections on June 30 by fiscal year, using the proposed capacity of 7,209 beds as the base, and includes the additional beds under construction at Fort Madison and Mitchellville. Future capacities are based on design work to date and may be subject to change.

Table 7
Forecasted Prison Population and Capacity

<u>Fiscal Year</u>	<u>Population</u>	<u>Capacity</u>	<u>Population as a % of Capacity</u>	<u>Notes</u>
2011	8,522	7,209	118.2%	Official capacity as of September 24, 2010.
2012	8,601	7,209	119.3%	
2013	8,678	7,546	115.0%	337 new beds open at Mitchellville.
2014	8,801	7,666	114.8%	120 new beds open at Fort Madison.
2015	8,852	7,666	115.5%	
2016	8,912	7,666	116.3%	
2017	8,958	7,666	116.9%	
2018	8,999	7,666	117.4%	
2019	9,025	7,666	117.7%	

- If the population reaches 9,025 offenders, the prison system will reach approximately 117.7% of capacity. This figure is based on the assumption that housing units currently closed due to budget reductions will remain closed.
- Official capacity upon completion of both facilities is expected to be 7,666 prison beds, not including any medical or segregation beds. This number does include beds closed due to budget constraints, but does not include 100 beds at Farm Three that was closed by legislative action. Actual capacity is expected to be 7,578 beds, to reflect the closure of 88 beds due to budget issues. Using that number of beds, the prison system will be at 119.1% of actual capacity.
- Note that the CJJPD is in the process of revising its annual prison population forecast. The current prison population is greater than was projected for this time last year. It is reasonable to assume the forecast may be revised upward when CJJPD's report is published in late 2010.
- The prison system routinely operates between 110.0% and 120.0% of capacity. If the prison population reaches 9,025 offenders or more, overcrowding may reach a point where the General Assembly may want to consider making changes to the corrections system.

ALTERNATIVES

Below are several options that may reduce the need for prison beds in the future.

- Appropriate funds to open previously closed housing units. This could add approximately 188 beds to the prison system at Anamosa (Living Units A and D-B) and Fort Madison (Farm Three). However, official capacity would increase by only 100 beds at Fort Madison because 88 beds at Anamosa are already included in the official count.

- Enhance intermediate criminal sanctions plans. Iowa Code Chapter 901B requires each CBC District Department to adopt a plan “designed to reduce probation revocations to prison through the use of incremental, community-based sanctions for probation violations.”
- Improve communication between the DOC and the Board of Parole. The Board’s expectations for offender treatment should be communicated early in an offender’s sentence, so the DOC may provide those treatment services before the offender is eligible for parole.
- The DOC’s emphasis on evidence-based practices and offender reentry may decrease the rate of return to prison and limit prison population growth.
- Sentencing changes or fewer direct court commitments to prison. Several states have increased the monetary threshold for property crimes, including California, Delaware, Montana, Oregon, and Washington. Several states have recently increased the amount of earned time or good time credits, thereby decreasing the length of stay in prison for certain offenders. These states include Nevada, Kansas, Pennsylvania, Colorado, and Mississippi.
- Send prisoners out of state. The General Assembly appropriated \$2.2 million to the DOC to house 100 women prisoners out of state in FY 2000 to ease overcrowding while additional beds were constructed at Mitchellville.
- Funding treatment at the community level through existing mechanisms and allocating funds to the CBC District Departments may serve as alternatives to incarceration.
- Examine Iowa’s sentencing policies and practices for drug offenses. There is a possibility that offenders in prison may receive substance abuse treatment safely in a community-based setting. Drug courts may divert some offenders from prison. Other states have recently amended their drug laws, including Arizona, Kentucky, Maryland, Minnesota, New York, and Rhode Island.
- Use private prisons. Senate File 2378 (FY 2011 Justice System appropriations Act) prohibits the DOC from entering into a contract for new privatized services costing in excess of \$100,000 without prior notification to the affected State employee organizations and the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Comparisons of private and state-operated prisons are complicated since private prisons tend to be mainly for minimum-security or medium-security inmates, while state-run prisons must deal with all security levels.

BUDGET IMPACT

According to the DOC, the estimated operating cost for FY 2012 for the new CBC facilities is approximately \$6.3 million. Estimated one-time costs (furniture, fixtures, and equipment) are expected to range up to approximately \$30.0 million for the new Mitchellville and Fort Madison facilities. The DOC is estimating it requires \$10.8 million for these one-time costs in FY 2012. The DOC estimates it needs \$1.8 million in transitional staffing during construction at Fort Madison and Mitchellville.

The DOC may request additional funds to reopen closed housing units at Fort Madison and Anamosa in the future. Additional funds may be required to staff the new facilities at Fort Madison and Mitchellville at the level recommended in the Durrant Report. These funds may be requested in FY 2013 or FY 2014, depending on the construction progress.

STAFF CONTACT: Beth Lenstra (515-281-6301) beth.lenstra@legis.state.ia.us